

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Interstate Migrant Workers Act – Constitution of Coordination Committees at State, District level and Work-site Committee for the implementation and monitoring the welfare schemes – Project for reduction in vulnerability of the migrant workers employed in brick-kiln, stone breaking and constructions – Orders – Issued.

LABOUR EMPLOYMENT TRAINING FACTORIES AND BOILERS (LAB.IV) DEPARTMENT

G.O.Ms.No. 10

Dated: 13.01.2012

Read the following:-

1. G.O.Rt.No.198 of LET&F (Lab.II) Department, dated. 06-02-2010
2. G.O.Ms.No.65 of LET&F (Lab.II) Department, dated. 27.07.2010
3. Minutes of the meeting held on 20.10.2011 for the constitution of Interstate, State, District and Mandal level Coordination Committees to monitor and coordinate the welfare schemes applicable to the Interstate Migrant Workers engaged in construction activity.
4. From the Commissioner of Labour Lr. No. Addl. COL Pehi/2011, dated: 21.10.2011.

ORDER:

On a complaint made to the National Human Rights Commission with regard to practice of Bonded Labour System in the Brick Kilns, Stone Quarries and Stone Crusher units in the State of Andhra Pradesh, more particularly, in Krishna district and based on the study report submitted by Dr. L. Mishra, Special Rapporteur to the National Human Rights Commission and after obtaining reports in the matter from the concerned, the Government, in order to achieve significant reduction in poverty among the above categories of workers, to minimize the vulnerability of workers to the bondage situation and to adopt convergence approach for extension of all the Government Schemes/Welfare Schemes of Andhra Pradesh Building and Other Construction Workers Welfare Board / Central Government Schemes, applicable if any, to the workers engaged in Brick Kilns, Stone Quarries and Stone Crushers in the State, have got prepared a project report from the experts of the International Labour Organisation, Sub-Regional Office, New Delhi.

Govt. have issued orders in the reference 1st read above appointing Sri. H.K. Nagu, Joint Commissioner of Labour as Nodal Officer for providing technical assistance to International Labour Organization (ILO) for preparation of State Action Plan in the identified Sectors Viz., Brick-kilns, Stone Quarries and Stone Crushers to prevent the Bonded Labour.

On the directions of the National Human Rights Commission dated 10.05.2010 and after examination of the report of Dr. L. Mishra, Special Rapporteur to the National Human Rights Commission orders were issued in ii the reference 2nd read above, approving the project for reduction of Vulnerability of the Migrant workers in the State.

Based on the study report on brick-kilns, stone quarries and stone crushers units in Andhra Pradesh submitted by Dr. Lakshmidhar Mishra, IAS., (Rtd.), Special Rapporteur to the National Human Rights Commission, New Delhi, the

Contd...2

need was felt to constitute Co-ordination committees at the work-site, District, State and inter-state level for implementing the project for reduction in vulnerability of migrant workers employed in Brick-kiln, Stone breaking and Construction activities and create awareness among the workers about the Workers Welfare Board, improved labour recruitment / management system, work place discipline and Labour Laws.

Accordingly, the Commissioner of Labour in his letter third read above has submitted the proposal for the Constitution of Coordination Committees at various levels for the implementation and monitoring of the welfare schemes and project meant for the interstate migrant workers with special reference to brick-kiln workers in Ranga Reddy District on a pilot basis.

The inter-state Migrant Workers sourced by the employers from various States do contribute for the economic development substantially more particularly in brick-kiln industry, stone breaking and crusher units in our State and they are subject to exploitation due to seasonal nature of employment, unorganized, geographical condition despite the applicability of labour laws such as Interstate Migration Workers Welfare Act, Minimum Wages Act, Employees Provident Fund Act and the Building and Other Construction Workers' Welfare Act, 1996. The employment and working conditions are to be regulated under the provisions of Inter-State Migrant Workers Act. It is going to be a joint initiative of Odissa and Andhra Pradesh Governments under the supervision of Ministry of Labour and Employment (MoLE), Government of India, with ILO technical support wherever needed shall be forthcoming.

In the circumstances stated by the Commissioner of Labour and considering the reports, views and opinions gathered during the period, Government has taken up a project under ILO with the coordination of State Government and Government of India for the welfare schemes and to coordinate the project for the better implementation of welfare schemes at field level. Accordingly, the Government hereby constitute the Coordination Committees at State, District level and Work-site Committee involving with the following Departments, workers' unions, NGOs for implementation of the Interstate Migrant Workers Act, 1979 in compliance to the directions of the National Human Rights Commission, New Delhi and for the implementation and monitoring of the welfare schemes and project meant for the Interstate Migrant Workers, the Government hereby constitute the following committees:-

I) State Level Coordination Committee for Brick-Kiln Workers in R.R. District.

- | | |
|---|-----------------------|
| 1. Spl. Chief Secretary / Prl. Secretary
/ Secretary, Labour Employment
Training & Factories Department | - Chairman |
| 2. Commissioner of Industries | - Member |
| 3. State Project Director of Sarva Siksha Abhiyan | - Member |
| 4. Commissioner of Labour | - Member
Convener. |
| 5. Director /Commissioner, Employment & Training | - Member. |

Contd...3

- | | |
|--|-----------|
| 6. Commissioner, Rural Development | - Member. |
| 7. Director/Commissioner, Women & Child Welfare | - Member |
| 8. Deputy Inspector General of Police
(Law and Order) | - Member |
| 9. Director of Factories | - Member |
| 10. District Collector, R.R. District | - Member |
| 11. Regional Labour Commissioner (Central) | - Member |
| 12. Secretary, Andhra Pradesh Building &
Other Construction Workers Welfare Board | - Member |
| 13. Regional Provident Fund Commissioner,
Hyderabad | - Member |
| 14. Regional Director, ESI Corporation | - Member |
| 15. Aid-et- Action, 1-NGO | - Member |
| 16. Employers' representatives 2 each
(COL to indicate the names) | - Member |
| 17. Employees' representatives 2 each
(COL to indicate the names) | - Member |

II) District Level Coordination Committee:

- | | |
|---|------------|
| 1. District Collector | - Chairman |
| 2. Deputy Commissioner of Labour | - Member |
| | - Convener |
| 3. Dy. Chief Inspector of Factories Dept/
Inspector of Factories | - Member |
| 4. District Employment Officer | - Member |
| 5. Project Director, SSA, R.R. Dist. | - Member |
| 6. Project Director, NCLP, R.R. Dist. | - Member |
| 7. Deputy Director, Women Development
& Child Welfare | - Member |
| 8. Deputy Director, Social Welfare | - Member |
| 9. District Tribal Welfare Officer | - Member |
| 10. Project Directors, DRDA & DWMA | - Member |

Contd...4

11. Employer Representatives - 2 Nos
(COL to indicate the names) - Member
12. Employees Representatives – 2 Nos.
(COL to indicate the names) - Member
13. Aid-at-Action, 1- NGO Representative - Member

III) Work-site Committees

At each work site, a committee consisting of the following members shall be constituted:-

1. Mandal Revenue Officer
/ Mandal Development Officer – Chairman
2. Assistant Labour Officer concerned – Member
convener
3. Representative from SSA concerned – Member
4. Representative from WD CW & DW - Member
5. Representative from Factories Department
6. Primary Health Centre/ ESI dispensary
In charge – Medical officer - Member
7. Workers representatives
(COL to indicate the names) - Two Members
8. Employer's Representatives
(COL to indicate the names) - Two Members

The functions attached to each of these Committees are enumerated below:-

(a) State Level Coordination Committee:-

The concern of the Committee will be –

1. This committee will hold quarterly / half yearly / annual review meetings to monitor welfare measures of the project, challenges and provide necessary inputs.
2. To approve the action plan programmes related to the migrant workers engaged in brick kiln.
3. Basing on the observation and findings of the NHRC necessary guidelines to be issued to the District Level Coordination Committee for proper planning and implementation of the programmes.
4. To monitor the implementation of the directions of the Supreme Court relating to the child labour rehabilitation, welfare, education, vocational training requirements of the adolescent / children released from work.
5. To finalise and update the strategies / programmes of the brick kiln workers.

Contd....5

6. Advice and supervise the operations of inter state coordination cell that will be set up in the States of Andhra Pradesh (recipient state) and Orissa (Source State) for the welfare of the inter state migrant brick kiln workers.
7. Develop and approve the method of registration and tracking of migrant workers. Device a mechanism for regulation of recruitment practise in brick kilns sector with a view to eliminate the exploitative role of middle men / sub contractors.
8. Plan and review the activities under this project through meetings held at least once in six months, at a mutually convenient place

(b) District Level Coordination Committee:-

The concern of the District Level Coordination Committee will be

1. Preparation / finalisation / implementation of District Action Plan.
2. This committee will hold meeting once in a month preferably first week to assess the project progress, constraints and provide inputs.
3. To coordinate with the district administration of the source state for proper implementation of the welfare programmes of the brick kiln workers.
4. The minutes of the review meetings shall be submitted to the State Level Coordination Committee for designing required based programmes.
5. To regularly review & monitor with the Deputy Commissioner of Labour / District head of the Factories department / education / ICD's / Health / police / Panchayat Raj Department / Banks etc. for proper implementation of the welfare measures of the brick kiln workers.

(c) Work-site Committee:-

1. Work site committee meetings will be organised at fortnight basis.
2. To regularly visit the work site and observe the shortcomings / requirements / facilities of the workers at work site and coordinate with the owners and facilitate them.
3. To built linkages with education department / skill development training requirements of the children and adolescent / public distribution systems / health department for providing worksite medical facilities to the workers.
4. Necessary welfare measures for reducing the vulnerabilities of the workers by strict vigilance.
5. To oversee enforcement of Labour and allied laws effectively.

The District level Coordinate Committee and work-site committee constituted above shall meet once in a month and submit a report to State Level

Coordination Committee. The State Level Coordination Committee to review the work / report regularly and meet at least once in 3 months.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT

To

The Special Chief Secretary / Principal Secretary / Secretary, Labour Employment Training Factories & Boilers Department.

The State Project Director of Sarva Siksha Abhiyan, Hyderabad.

The Commissioner of Labour, Andhra Pradesh, Hyderabad.

The Director /Commissioner, Employment & Training, Hyderabad.

The Commissioner of Industries.

The Commissioner, Rural Development

The Director/Commissioner, Women & Child Welfare

The Deputy Inspector General of Police (Law & order)

The Director of Factories

The District Collector, R.R. District

The Regional Labour Commissioner (Central)

The Secretary, Andhra Pradesh Building & Other Construction Workers Welfare Board, Hyderabad.

The Regional Provident Fund Commissioner, Hyd.

The Regional Director, ESI Corporation

The Aid-et- Action, 1-NGO

The Employers' representatives 2 each

The Employees' representatives 2 each

The District Collector concerned

The Deputy Commissioner of Labour

The Deputy Chief Inspector of Factories Dept / Inspector of Factories.

The District Employment Officer

The Project Director, SSA, R.R. Dist.

The Project Director, NCLP, R.R. Dist.

The Deputy Director, Women Development & Child Welfare.

The Deputy Director, Social Welfare.

The District Tribal Welfare Officer.

The Project Directors, DRDA & DWMA.

The Employer Representatives - 2 Nos.

The Employees Representatives – 2 Nos.

The Aid-at-Action, 1- NGO Representative.

The Mandal Revenue Officer / Mandal Development Officer.

The Assistant Labour Officer concerned.

The Representative from SSA concerned.

The Representative from WD CW & DW.

The Representative from Factories Department.

The Primary Health Centre/ ESI dispensary In charge – Medical officer Workers representatives.

The Employer's Representatives.

Copy to:

The OSD to M (LETFB & ITIs).

The P.S. to Secretary, LETF & B Department.

The P.A. to Joint Secretary, LETF & B Department.

Sf/Sc

Through
COL

//FORWARDED :: BY ORDER//

SECTION OFFICER